

FILED
AUG 13 PM 3:27
U.S. DISTRICT COURT
CLEVELAND, OHIO

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

POORNANAND PALAPARTY,

Defendant.

INFORMATION

CR. NO.

Title 21, United States Code
Section 331(a), 352(f),
333(a)(1)

MAG. JUDGE MCHARGH

The United States Attorney charges:

COUNT 1

1. Title 21, United States Code, Section 331(a) prohibits the introduction into interstate commerce of any drug that is misbranded. Under Title 21, United States Code, Section 352, a drug is misbranded if its labeling is false or misleading in any manner, or if its packaging or labeling fails to comply with the stringent requirements of the Federal Food, Drug, and Cosmetic Act and related regulations promulgated by the United States Food and Drug Administration (FDA). A drug may therefore be misbranded even if it is identical in composition to an FDA-approved drug (that is, a drug labeled and packaged in compliance with


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the FDA's standards) and even if it was made by the same manufacturer in the same facility as the FDA-approved version.

2. Defendant POORNANAND PALAPARTY, M.D., purchased and received oncology drugs Kytril, Gemzar, Oxaliplatin, Irinotecan, Camptosar, Zometa, Gemcitabine, Campto, Zoledronic Acid and Carboplatin from Company #1, a foreign-based drug distributor located in Canada, between July 4, 2004, and February 26, 2009. All of these drugs purchased by PALAPARTY originated outside the United States and were never approved by the FDA for introduction into the United States.

3. Between July 4, 2004, and February 26, 2009, Defendant POORNANAND PALAPARTY, in the Northern District of Ohio, Eastern Division, caused the introduction into interstate commerce of prescription drugs that were misbranded for lacking adequate directions for use; that is, they did not bear labeling indicating the drugs had been approved by the FDA for use in the United States.

In violation of Title 21, United States Code, Section 331(a), 352(f), 333(a)(1).


ANN C. ROWLAND
Chief, Major Fraud and Corruption Unit